

**2005 DRAFTING REQUEST**

**Senate Amendment (SA-SB(LRBx3947/4))**

Received: 02/15/2006

Received By: jkuesel

Wanted: Soon

Identical to LRB:

For: Joseph Leibham (608) 266-2056

By/Representing: Eric Schutt

This file may be shown to any legislator: NO

Drafter: jkuesel

May Contact:

Addl. Drafters:

Subject: Elections - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Sen.Leibham@legis.state.wi.us

Carbon copy (CC:) to: russ.whitesel@legis.state.wi.us  
katie.plona@gov.state.wi.us  
amy.kasper@gov.state.wi.us  
kevin.kennedy@seb.state.wi.us

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**Pre Topic:**

No specific pre topic given

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**Topic:**

SA to SB (LRB-3947/4)

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**Instructions:**

1. Add provision in s. 9.01, stats. providing that when board of canvassers makes a determination of voter intent, any votes counted by the canvassers pursuant to that determination shall be added to the result generated by machine.
2. Provide that all election officials must attend training at least once every 2 years, beginning with elections held in 2008.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 02/15/2006	csicilia 02/15/2006		_____			

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1			rschlue 02/15/2006	_____	lnorthro 02/15/2006	lnorthro 02/15/2006	
/2	jkuesel 02/17/2006	csicilia 02/17/2006	chaugen 02/20/2006	_____	sbasford 02/20/2006	sbasford 02/20/2006	

FE Sent For:

<END>

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/?	jkuesel 02/15/2006	csicilia 02/15/2006	ch 2/20	ch 2/20 PS			



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By/Representing: Eric Schutt

This file may be shown to any legislator: NO

Drafter: jkuesel

May Contact:

Addl. Drafters:

Subject: Elections - miscellaneous

Extra Copies: Russ Whitesel, LCS - 1  
Katie Plona, Ofc of Gov - 1  
Amy Kasper, Ofc of Gov - 1  
Kevin Kennedy - Elections Bd

Submit via email: YES

Requester's email: Sen.Leibham@legis.state.wi.us

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

SA to SB (LRB-3947/4)

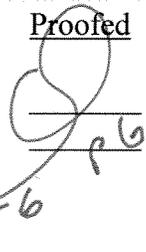
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/?   1	jkuesel 2/15/06	1 g's 2/15 06					

2156

## Kuesel, Jeffery

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**To:** Plona, Katie - Office of Governor Jim Doyle; Schutt, Eric; Whitesel, Russ;  
amy.kasper@gov.state.wi.us  
**Subject:** RE: Election Law Drafts

Katie,

I intend to make the training provisions effective immediately but include a transitional provision that would make the mandatory training requirements initially applicable to elections held in 2008.

Jeffery Kuesel  
Managing Attorney  
Wisconsin Legislative Reference Bureau  
P.O.Box 2037  
Madison WI 53701-2037  
(608) 266-6778  
jeffery.kuesel@legis.state.wi.us

-----Original Message-----

From: Plona, Katie - Office of Governor Jim Doyle [mailto:Katie.Plona@gov.state.wi.us]  
Sent: Monday, February 13, 2006 5:12 PM  
To: Kuesel, Jeffery; Plona, Katie - Office of Governor Jim Doyle  
Cc: Schutt, Eric; Whitesel, Russ; Kasper, Amy - Office of Governor Jim Doyle  
Subject: RE: Election Law Drafts

Jeff,

Thanks for the explanation. It is our intent to provide the training as you described. Our only question is regarding the timing. Per our discussion last week, (and, Eric, please respond if I am misstating it) we all want to ensure that the training is in place for 2008. This would require SEB to have the authority to start the rule-making process as soon as the bill becomes effect July 2006. Will the language reflect that intent? Thanks,  
Katie

Katie Plona  
Legislative Liaison  
Office of Governor Jim Doyle  
(608) 266-9709

-----Original Message-----

From: Kuesel, Jeffery [mailto:Jeffery.Kuesel@legis.state.wi.us]  
Sent: Monday, February 13, 2006 3:44 PM  
To: Plona, Katie - Office of Governor Jim Doyle  
Cc: Schutt, Eric; Whitesel, Russ; amy.kasper@gov.state.wi.us  
Subject: RE: Election Law Drafts

Katie,

The training changes will require that every election official, including every municipal clerk, receive training at least once every two years, beginning with elections held in 2008. The frequency and content of the training will be prescribed by the board. The training will be performed by the municipal clerks, except that the training of municipal clerks and chief inspectors will be performed by the board. In addition, the board may continue to offer seminars and conferences. If that is not your understanding, please let me know.

Jeffery Kuesel  
Managing Attorney  
Wisconsin Legislative Reference Bureau  
P.O.Box 2037  
Madison WI 53701-2037

(608) 266-6778  
jeffery.kuesel@legis.state.wi.us

-----Original Message-----

From: Plona, Katie - Office of Governor Jim Doyle [mailto:Katie.Plona@gov.state.wi.us]  
Sent: Monday, February 13, 2006 2:53 PM  
To: Kuesel, Jeffery; Schutt, Eric  
Cc: Whitesel, Russ; Plona, Katie - Office of Governor Jim Doyle; Kasper, Amy - Office of Governor Jim Doyle  
Subject: RE: Election Law Drafts

Amy and I are OK on the current draft going forward with the changes we discussed and the amendment.

Eric and I also just spoke, and I want to confirm what will be in the amendment, since Amy and I were not aware that the rewrite of the election official training language was not in the /4 we have in front of us now. Our understanding now is that the amendment will contain the recount changes and the provision saying that the training will apply no later than 2008.

Please let me us know if that's not the case. Otherwise, we're all set and will await the /4 with the changes and the amendment language.

Thanks everybody.  
Katie

Katie Plona  
Legislative Liaison  
Office of Governor Jim Doyle  
(608) 266-9709

-----Original Message-----

From: Kuesel, Jeffery [mailto:Jeffery.Kuesel@legis.state.wi.us]  
Sent: Monday, February 13, 2006 2:01 PM  
To: Schutt, Eric  
Cc: Whitesel, Russ; katie.plona@gov.state.wi.us; amy.kasper@gov.state.wi.us  
Subject: RE: Election Law Drafts

Eric,

I am finished with the revisions to the main draft. Russ and I still need to look at the pref note changes. I'm hoping our support staff will have the draft out by tonight. If you have any questions or changes, I will try to deal with them as soon as possible. Tomorrow, I expect to work on the recount and training changes as an amendment to the unintroducted draft.

The assembly elections and campaigns committee has a meeting this Thursday and that is generating some work for me, but as of the moment, I think we still should be able to completely finish with the main draft and amendments by the end of the week.

Jeffery Kuesel  
Managing Attorney  
Wisconsin Legislative Reference Bureau  
P.O.Box 2037  
Madison WI 53701-2037  
(608) 266-6778  
jeffery.kuesel@legis.state.wi.us

-----Original Message-----

From: Schutt, Eric  
Sent: Monday, February 13, 2006 12:31 PM  
To: Kuesel, Jeffery  
Cc: Whitesel, Russ; Plona, Katie - Office of Governor Jim Doyle; Kasper, Amy - Office of Governor Jim Doyle

Subject: Election Law Draft

Jeff,

Just wanted to follow-up from our meeting last week. We are ok with the suggested edits to /4.

I just left Katie a message to this fact, and wanted to get a sense of our potential timeline for the proposed agreed upon amendment and introduction.

Thanks,  
Eric

Eric Schutt  
Chief of Staff  
Senator Joe Leibham  
9th Senate District

Eric.Schutt@legis.state.wi.us  
Phone: (608) 266-2056

Capitol Address -  
P.O. Box 7882  
Madison, WI 53707-7882

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[www.leibhamsenate.com](http://www.leibhamsenate.com) <<http://www.leibhamsenate.com>> State Web Page - [www.wisconsin.gov](http://www.wisconsin.gov)

2005

Date (time) needed

Wed 2/15 - 5 PM

LRBa 2360 / 1

AMENDMENT

JTR: 1 :  
cjs

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

TO S A AMENDMENT (LRBa / ),

TO S A SUBSTITUTE AMENDMENT (LRBs / ),

TO 2005 SB SJR SR AB AJR AR (LRB- 3947 / 4)

At the locations indicated, amend the bill as follows:

(fill ONLY if "engrossed ...." or "as shown by ....." )

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa2360/lins  
JTK.....

1. Page 18, line 19: after "(2)" insert "and 9.01 (1) (b) 8s." ✓
2. Page 71, line 6: delete "training" and substitute "a training program". ✓
3. Page 80, line 13: after that line insert:

12/9  
"SECTION ?? 7.31 (1) of the statutes is amended to read: ✓

7.31 (1) The board shall, by rule, prescribe requirements for certification of individuals to serve as chief inspectors. The requirements shall include a requirement to attend at least one training session held under sub. (5) before beginning service. The requirements shall not include taking an examination.

History: 2001 a. 16, 104; 2003 a. 143.

12/12  
SECTION ?? 7.31 (4) of the statutes is amended to read: ✓

7.31 (4) The board shall require each individual to whom a certificate is issued under this section to meet requirements to maintain that certification. The requirements shall include a requirement to attend at least one training session held under sub. (5) every 2 years. The board shall renew the certificate of any individual who requests renewal and who meets the requirements prescribed under this subsection."

History: 2001 a. 16, 104; 2003 a. 143.

4. Page 80, line 19: after "1." insert "Each inspector other than a chief inspector and each special voting deputy appointed under s. 6.875 and special registration deputy appointed under s. 6.26 or 6.55 (6) shall view or attend at least one training program every 2 years." ✓

5. Page 80, line 23: after "(a)" insert "within 2 years of the date of the election". ✓

6. Page 81, line 9: delete the material beginning with "The" and ending with ✓

Fix component  
"years." ✓

that line and substitute "The rules shall". ✓

106  
153m  
7. Page 108, line 22: after that line insert:

"SECTION 9.01 (1) (b) 8s. of the statutes is created to read:

9.01 (1) (b) 8s. If an electronic voting system is used in which ballots are distributed to electors, and the board of canvassers makes a determination of elector intent under s. 7.50, the board of canvassers shall add to the result generated by the automatic tabulating equipment any votes counted by the board of canvassers in making its determination."

8. Page 119, line 9: delete "section 5.90 (2) and (3)" and substitute "sections 5.90 (2) and (3) and 9.01 (1) (b) 8s."

9. Page 120, line 8: delete "and 7.315" and substitute "7.31 (1) and (4), and 7.315 (1) (b)".

(END)

delete "The renumbering" and substitute "The treatment of section 9.01 (1) (b) 8s. of the statutes, the renumbering".

9 #. Page 119, line 9: delete "and the" and substitute " and the".



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa2360/42

JTK:cjs:rs

Mon 2/20 9AM

slays

SENATE AMENDMENT,  
TO 2005 SENATE BILL (LRB-3947/4)

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 18, line 19: after "(2)" insert "and 9.01 (1) (b) 8s."

*# page 19, line 11: delete the material beginning with "in" and ending with "form" on line 12.*

3 **2.** Page 71, line 6: delete "training" and substitute "a training program".

4 **3.** Page 80, line 13: after that line insert:

5 "SECTION 121g. 7.31 (1) of the statutes is amended to read:

6 7.31 (1) The board shall, by rule, prescribe requirements for certification of  
7 individuals to serve as chief inspectors. The requirements shall include a  
8 requirement to attend at least one training session held under sub. (5) before  
9 beginning service. The requirements shall not include taking an examination.

10 SECTION 121r. 7.31 (4) of the statutes is amended to read:

11 7.31 (4) The board shall require each individual to whom a certificate is issued  
12 under this section to meet requirements to maintain that certification. The  
13 requirements shall include a requirement to attend at least one training session held

1 under sub. (5) every 2 years. The board shall renew the certificate of any individual  
2 who requests renewal and who meets the requirements prescribed under this  
3 subsection.”.

4 **4.** Page 80, line 19: after “1.” insert “Each inspector other than a chief inspector  
5 and each special voting deputy appointed under s. 6.875 and special registration  
6 deputy appointed under s. 6.26 or 6.55 (6) shall view or attend at least one training  
7 program every 2 years.”.

8 **5.** Page 80, line 23: after “(a)” insert “within 2 years of the date of the election”.

9 **6.** Page 81, line 9: *delete* that line and substitute “The rules shall”.

10 **7.** Page 106, line 22: after that line insert:

11 **“SECTION 153m.** 9.01 (1) (b) 8s. of the statutes is created to read:

12 9.01 (1) (b) 8s. If an electronic voting system is used in which ballots are  
13 distributed to electors, and the board of canvassers makes a determination of elector  
14 intent under s. 7.50, the board of canvassers shall add to the result generated by the  
15 automatic tabulating equipment any votes counted by the board of canvassers in  
16 making its determination.”.

17 **8.** Page 119, line 8: delete “The renumbering” and substitute “The treatment  
18 of section 9.01 (1) (b) 8s. of the statutes, the renumbering”.

19 **9.** Page 119, line 9: delete “and the” and substitute “, and the”.

20 **10.** Page 120, line 8: delete “and 7.315” and substitute “7.31 (1) and (4), and  
21 7.315 (1) (b)”.

22 (END)